



PUBLIC NOTICE

US Army Corps
of Engineers
New York District
Jacob K. Javits Federal Building
New York, N.Y. 10278-0090
ATTN: Regulatory Branch

In replying refer to:
Public Notice Number: NAN-2006-412-EJE
Issue Date: October 4, 2007
Expiration Date: November 4, 2007

To Whom It May Concern:

The New York District, Corps of Engineers has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344).

APPLICANT: Sandy Hook Developers, LLC
James M. Bollerman
47 Reckless Place
Red Bank, NJ 07701

ACTIVITY: Installation of wave attenuation structures.

WATERWAY: Sandy Hook Bay (Sandy Hook-Staten Island Watershed)

LOCATION: Highlands, Monmouth County, New Jersey.

A detailed description and plans of the applicant's activity are enclosed to assist in your review.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity.

Any person may request, in writing, before this public notice expires, that a public hearing be held to collect information necessary to consider this application. Requests for public hearings shall state, with particularity, the reasons why a

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public hearing should be held. It should be noted that information submitted by mail is considered just as carefully in the permit decision process and bears the same weight as that furnished at a public hearing.

Our preliminary determination is that the activity for which authorization is sought herein is not likely to affect any Federally endangered or threatened species or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the District Engineer is consulting with the appropriate Federal agency to determine the presence of and potential impacts to listed species in the project area or their critical habitat.

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act (Public Law 104-267), requires all Federal agencies to consult with the National Oceanic and Atmospheric Administration Fisheries Service (NOAA/FS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The proposed work, fully described in the attached work description, could cause the disruption of habitat for various lifestages of some EFH-designated species as a result of a temporary increase in turbidity during construction. However, the New York District has made the preliminary determination that the site-specific adverse effects are not likely to be substantial because it is expected that fish populations would avoid the small area of disturbance. Further consultation with NOAA/FS regarding EFH impacts and conservation recommendations being conducted and will be concluded prior to the final decision.

Based upon a review of the latest published version of the National Register of Historic Places, there are no known sites eligible for, or included in, the Register within the permit area. Presently unknown archeological, scientific, prehistorical, or historical data may be lost by work accomplished under the required permit.

Reviews of activities pursuant to Section 404 of the Clean Water Act will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 (b) of the Clean Water Act and the applicant will obtain a water quality certificate or waiver from the appropriate state agency in accordance with Section 401 of the Clean Water Act prior to a permit decision.

Pursuant to Section 307 (c) of the Coastal Zone Management Act of 1972 as amended [16 U.S.C. 1456 (c)], for activities under consideration that are located within the coastal zone of a state which has a federally approved coastal zone management program, the applicant has certified in the permit application that the activity complies with, and will be conducted in a manner that is consistent with, the approved state coastal zone management program. By this public notice, we are requesting the state's concurrence with, objection to, or waiver of the applicant's certification. No permit decision will be made until one of these actions occurs. For activities within the coastal zone of New York State, the applicant's certification and accompanying information is available from the Consistency Coordinator, New York State Department of State, Division of Coastal Resources and Waterfront Revitalization, Coastal Zone Management Program, 41 State Street, Albany, New York 12231, Telephone (518) 474-6000. Comments regarding the applicant's certification, and copies of any letters to this office commenting upon this proposal, should be so addressed.

In addition to any required water quality certificate and coastal zone management program concurrence, the applicant has obtained or requested the following governmental authorization for the activity under consideration:

- New Jersey Department Environmental Protection

It is requested that you communicate the foregoing information concerning the activity to any persons known by you to be interested and who did not receive a copy of this notice. If you have any questions concerning this application, you may contact this office at (917) 790-8420 and ask for Stacey M. Jensen.

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For more information on New York District Corps of Engineers programs, visit our website at <http://www.nan.usace.army.mil>



Richard L. Tomer
Chief, Regulatory Branch

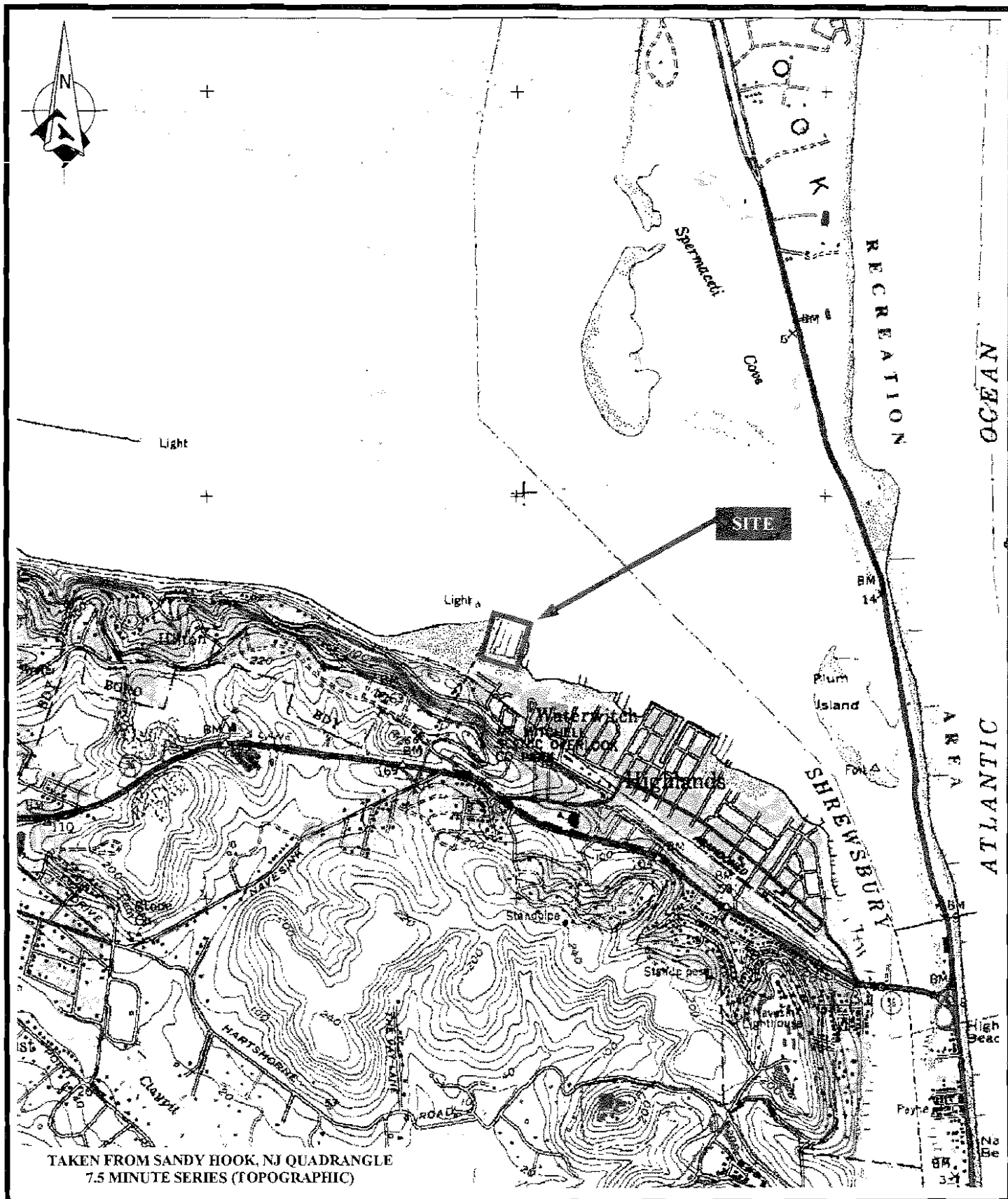
Enclosures

WORK DESCRIPTION

The applicant, Sandy Hook Developers, LLC, has requested Department of the Army authorization for the maintenance and installation of wave attenuating structures in Sandy Hook Bay, Highlands, Monmouth County, New Jersey. The structures proposed to be maintained include the following: a wave screen including 14-inch by 14-inch H-piles along approximately 160 linear feet to the west of the marina entrance and along approximately 260 linear feet to the east of the marina entrance with the steel sheet piles 18 inches above the bottom of the mudline; the west end of the wave screen realigned by 10 feet seaward from the original alignment; reduction of the original 10.5-inch gaps in the sheet piles to 3-inch gaps; and elimination of the original stinger piles to use underwater wales instead.

Structures to be installed include the following: fifteen (15) 2-foot by 2-foot by 6-foot concrete wave attenuators placed 2-3 feet behind the wave screen with a 2-foot space between each wave attenuator; and two (2) timber pile dolphins.

The stated purpose of this project is to provide the applicant with safe mooring conditions in an existing marina.



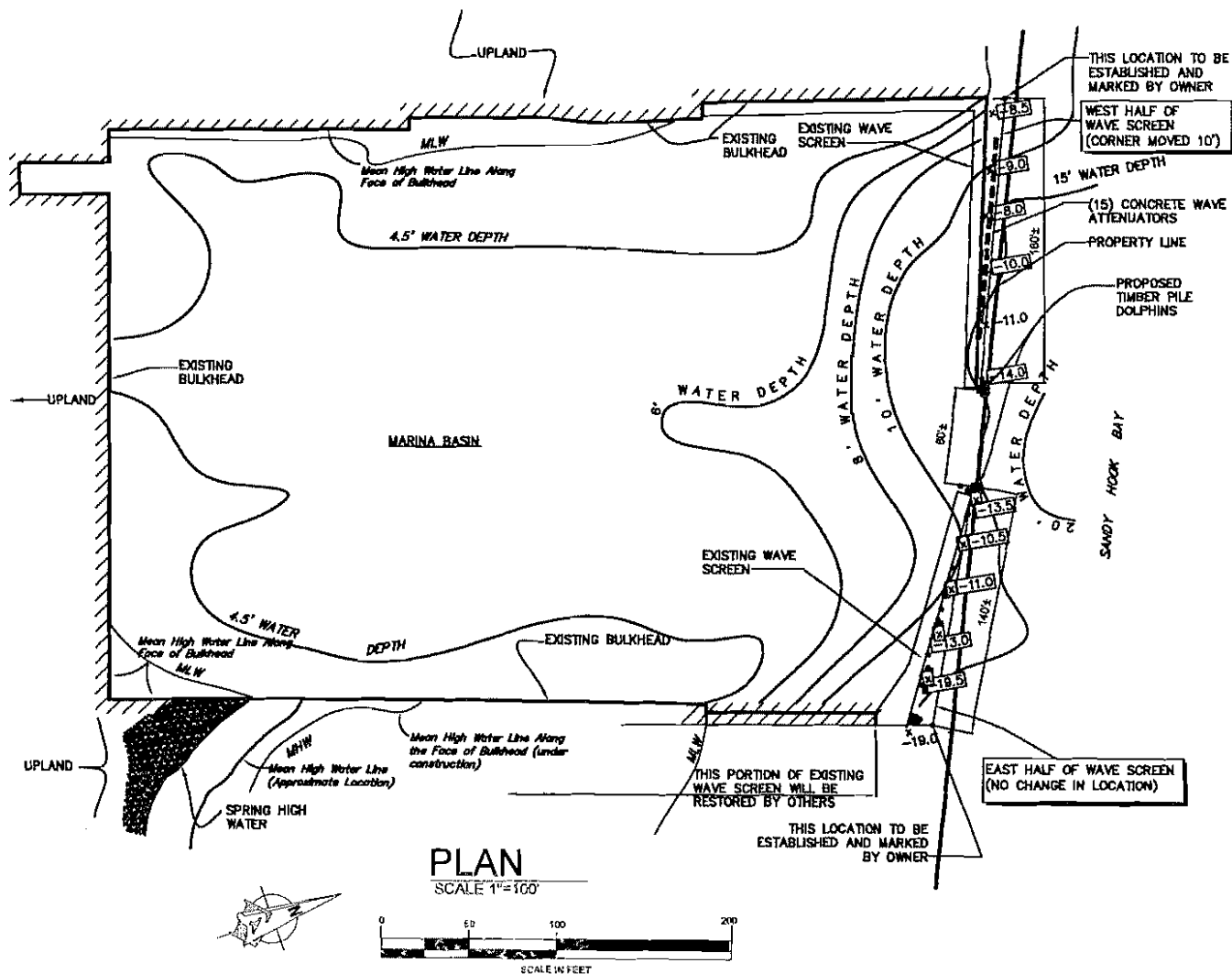
SCALE: 1" = 2,000'	JOB NO.: 92884	STATUS:
DRAWN BY: ESG	PROJECT TITLE:	
CHK'D BY: ESG	SANDY HOOK BAY MARINA	
APPR'V BY: SMJ	1 WILLOW STREET	
DATE: 12/15/03	HIGHLANDS, NJ	

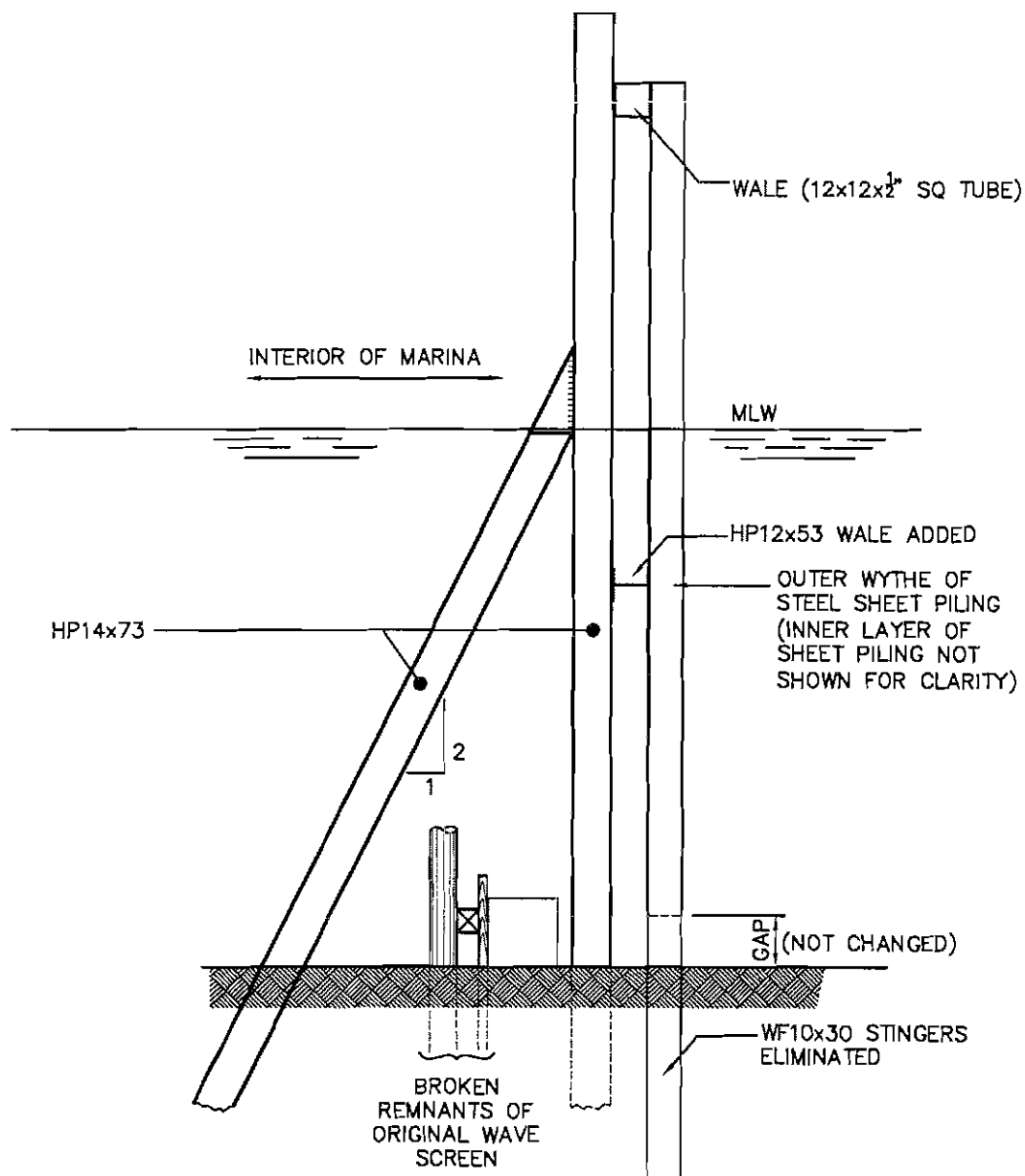
1 of 7

Envar Services, Inc.		
505 Milltown Road, North Brunswick, NJ 08902		
(732) 296-9601 • Fax (732) 296-9602 • www.envarservices.com		
DRAWING NAME:	DRAWING NO:	REV.
SITE LOCATION MAP	2884-0001	0

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Sandy Hook Developers, LLC





SECTION A-A
CHANGE FROM PIPE PILES TO "H" PILES
REPLACE STINGER PILES WITH UNDERWATER WALE
SCALE 3/16" = 1'-0"

ERIC S. GOLDMAN
PROFESSIONAL ENGINEER - NEW JERSEY LICENSE #33437
DATE 10/10/06

PROPOSED: IN RED BANK
AT 47 RECKLESS PLACE
COUNTY OF MONMOUTH STATE N.J.
APPLICATION BY: SANDY HOOK DEVELOPERS, LLC
SHEET 2 OF 8, DATE: JUNE 09, 2006

REV. NO.	DATE	APPROVED	REVISION DESCRIPTION

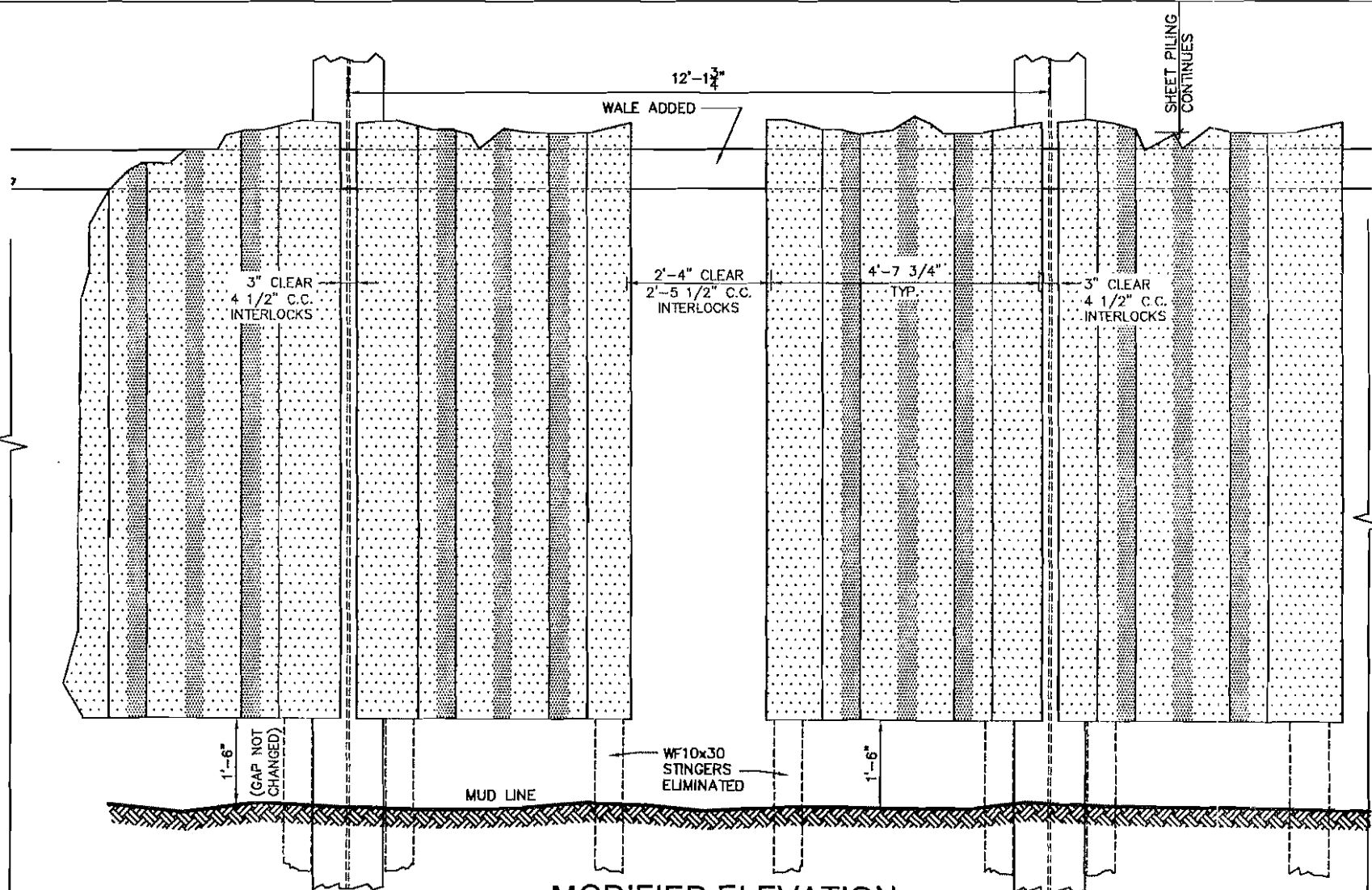
DESIGNED BY:
DRAWN BY: JMS
CHECKED BY: BMJ
APPROVED BY: ESO
PRINTED:

Envar
Services, Inc.
CERTIFICATE OF AUTHORIZATION #246A28036700
Engineering • Port Technology • Environmental • Site Planning • Construction
501 Milltown Road, Suite 100, Milltown, NJ 07061-1128 (908) 661-1741 FAX (908) 661-1742 • www.envarservices.com

SANDY HOOK DEVELOPERS, LLC 47 RECKLESS PLACE RED BANK, NJ 07701	JOB NO. 92884
DRAWING TITLE SECTION A-A	DATE 8/08/2006
SCALE AS NOTED	LAST REV. 1

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Sandy Hook Developers, LLC (3 of 7)



MODIFIED ELEVATION
CHANGE FROM AZ13 TO PZC13 SHEET PILES
 SCALE 3/8"=1'

PROPOSED: IN RED BANK
 AT 47 RECKLESS PLACE
 COUNTY OF MONMOUTH STATE N.J.
 APPLICATION BY: SANDY HOOK DEVELOPERS, LLC
 SHEET 40F B, DATE: JUNE 08, 2008

REV. NO.	DATE	APPROVED	REVISION DESCRIPTION

DESIGNED BY:	ERIC S. GOLDMAN
DRAWN BY:	JMS
CHECKED BY:	JMS
APPROVED BY:	ERG
PRINTED:	

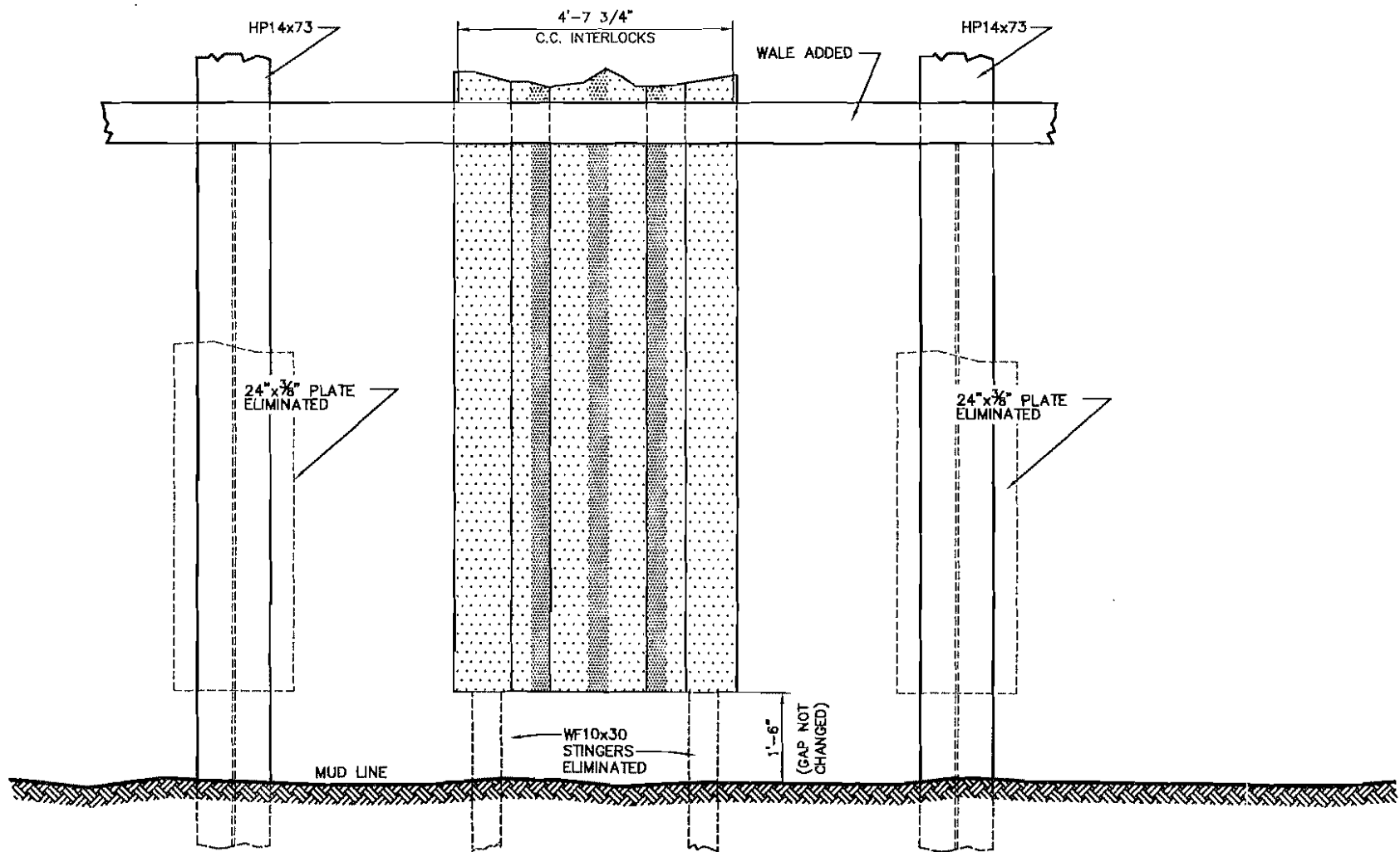
Envar
 Services, Inc.
 CERTIFICATE OF AUTHORIZATION #24GA28036700
 Engineering • Port Technology • Environmental • Site Planning • Construction
 600 Millstone Road, North Brunswick, NJ 08902-3302 (732) 236-9601 • FAX (732) 236-9602 • www.envarservices.com

SANDY HOOK DEVELOPERS, LLC 47 RECKLESS PLACE RED BANK, NJ 07701		JOB No. 92884
ELEVATION OF OUTER WYTHE		SHT. A-04-B
SCALE: AS NOTED	DATE: 6/08/2008	DRAWING No. SK-4

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Sandy Hook Developers, LLC

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ELEVATION
INNER WYTHE OF WAVE SCREEN
 SCALE 3/8"=1'

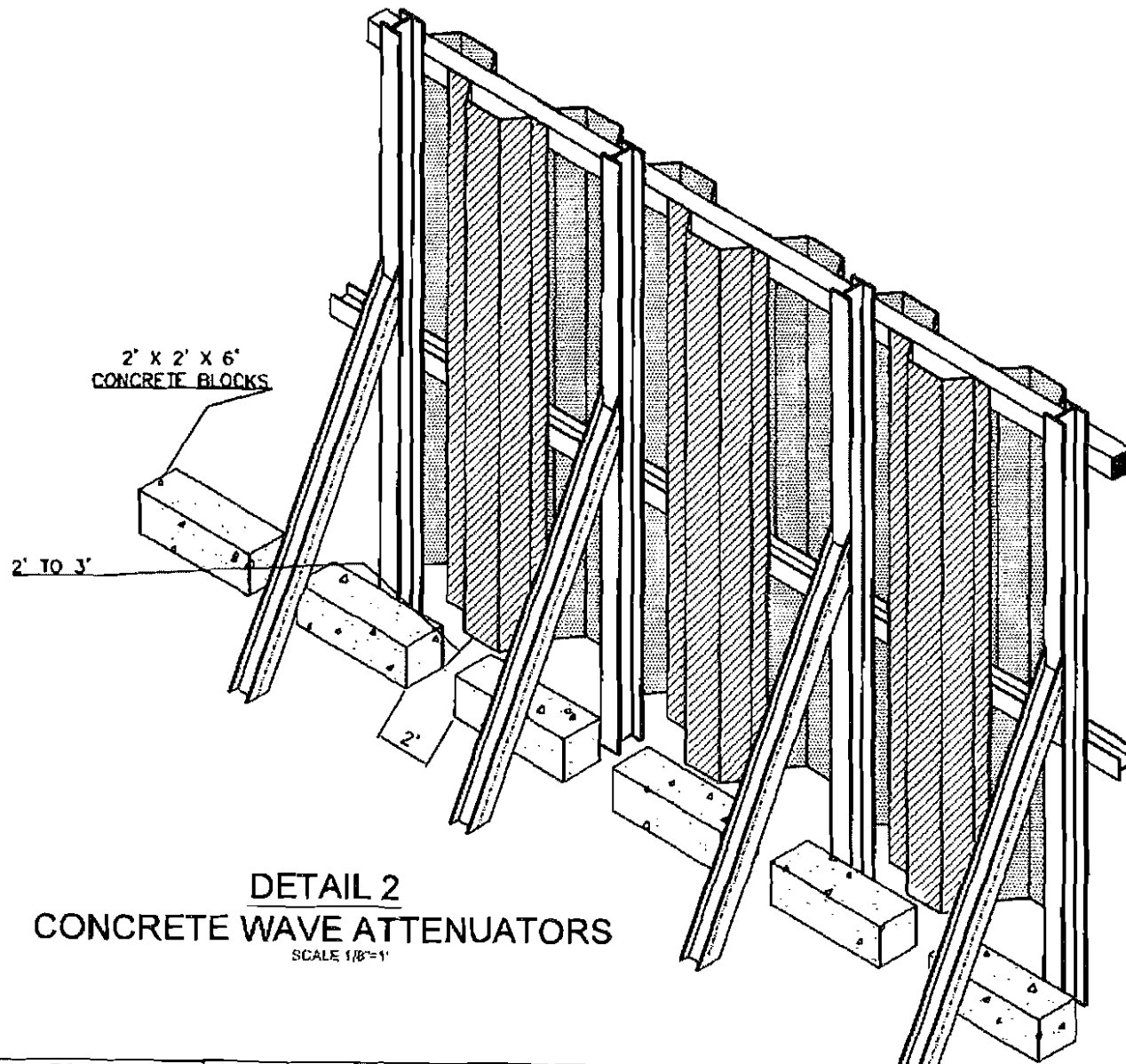
PROPOSED: N. RED BANK
 AT 47 RECKLESS PLACE
 COUNTY OF MONMOUTH STATE N.J.
 APPLICATION BY: SANDY HOOK DEVELOPERS, LLC
 SHEET 5 OF 6, DATE: JUNE 08, 2006

REV. NO.	DATE	APPROVED	REVISION DESCRIPTION	DESIGNED BY:	Envar Services, Inc. CERTIFICATE OF AUTHORIZATION #24GA28036700 Engineering • Port Technology • Environmental • Site Planning • Construction <small>500 Main Street, Suite 200, Red Bank, NJ 08040-3100 (732) 286-9801 FAX (732) 286-9802 • www.envarservices.com</small>	SANDY HOOK DEVELOPERS, LLC 47 RECKLESS PLACE RED BANK, NJ 07701 ELEVATION OF INNER WYTHE	JOB No. 92884 SHT. 5 of 6
				DRAWN BY: JKS	 ERIC S. GOLDMAN PROFESSIONAL ENGINEER - NEW JERSEY LICENSE 33347 DATE 6/30/06		
				CHECKED BY: BMJ			
				APPROVED BY: EBG			
				PRINTED:			
						SCALE: AS NOTED DATE: 6/09/2006	DRAWING No. SK-5

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Sandy Hook Developers, LLC

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DETAIL 2
CONCRETE WAVE ATTENUATORS
 SCALE 1/8"=1'

PROPOSED:
 IN RED BANK
 AT 47 RECKLESS PLACE
 COUNTY OF MONMOUTH STATE NJ
 APPLICATION BY: SANDY HOOK DEVELOPERS, LLC
 SHEET A OF 6 DATE: APR 09, 2008

REV.	DATE	APPROVED	REVISION DESCRIPTION	DESIGNED BY:	ENVAR Services, Inc.	SANDY HOOK DEVELOPERS, LLC	92884
				DRAWN BY: JMS	CERTIFICATE OF AUTHORIZATION FOR REGISTRATION	47 RECKLESS PLACE	92884
				CHECKED BY: JMS	Engineering • Post Technology • Environmental • Site Planning • Construction	RED BANK, NJ 07701	92884
				APPROVED BY: EGO	FOR REVIEW: ENVAR SERVICES, INC. 732.296.9602	DETAIL 2	92884
				PRINTED		SCALE: AS NOTED	92884
						DATE: 8/09/2008	92884

NAN-2006-412-EJE

Sandy Hook Developers, LLC

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